

Patent
Case 1731-CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION: Joachim E. Klee et al

Serial No. 10/054,360

Art Unit: 1712

Filed: January 22, 2002

Examiner: M. Moore

For: POLYMERIZABLE COMPOUNDS AND COMPOSITIONS

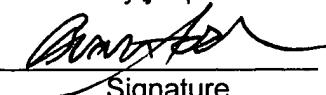
TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING REJECTION

DENTSPLY DeTrey GmbH, changed its name from DENTSPLY GmbH (Exhibit A); is the owner of 100 percent interest in the instant application and hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior US patent 6,369,164. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154,156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

For submissions on behalf of the corporation the undersigned is empowered to act on behalf of the corporation.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

 11/19/03
Signature Date

Brian Addison, Managing Director
DENTSPLY DeTrey GmbH.

The undersigned is an attorney of record. Please charge the fee of \$110.00 for Terminal Disclaimer under 37 CFR 1.20 (d) to Deposit Account No. 04-0780.

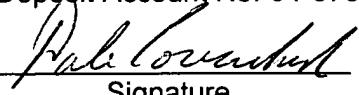
 11/19/03
Signature Date
Dale R. Lovercheck
Attorney Registration No. 28638

EXHIBIT A

SECRETARY'S CERTIFICATE

I, Brian M. Addison, Vice President, Secretary and General Counsel of DENTSPLY International Inc., do hereby certify that Dentsply De Trey GmbH is a wholly owned subsidiary of DENTSPLY International Inc., and that the name of the company was changed from Dentsply GmbH to Dentsply De Trey GmbH in 1994.

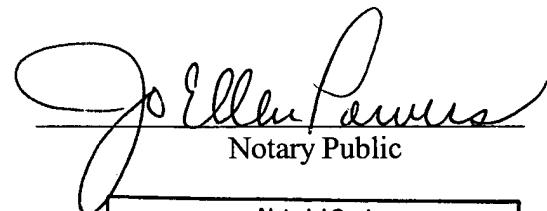
IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Corporation of DENTSPLY International Inc. this 18th day of November, 2003.

DENTSPLY INTERNATIONAL INC.



Secretary

Sworn to and subscribed before me this
18th day of November, 2003.



Notary Public

Notarial Seal
Jo Ellen Powers, Notary Public
City Of York, York County
My Commission Expires July 5, 2006
Member, Pennsylvania Association Of Notaries

